

GOP.gov

Committee Central

Weekly Floor Briefing

MONDAY, DECEMBER 10

The House will meet at 2:00 p.m. in pro forma session. No votes.

TUESDAY, DECEMBER 11

The House will meet at 12:30 p.m. for morning hour and 2:00 p.m. for legislative business. Votes will be postponed until 6:30 p.m.

Suspensions (22 bills):

H.R. 3216 - Amending the Richard B. Russell National School Lunch Act

H.R. 2069 - Global Access to HIV/AIDS Prevention, Awareness, Education, and Treatment Act of 2001

S.Con.Res. 58 – Expressing Support for the Tenth Annual Meeting of the Asia Pacific Parliamentary Forum

H.R. 2716 - Homeless Veterans Assistance Act (Concur in Senate Amendment)

H.R. 2540 - Veterans Benefits Act of 2001 (Concur in Senate Amendment)

H.R. 1291 – 21st Century Montgomery GI Bill Enhancement Act (House Amendment to Senate Amendment)

S.J.Res. 26 - Appointing Patricia Q. Stonesifer as a Citizen Regent of the Board of Regents of the Smithsonian Institution

H.Res. 309 - Honoring the United States Capitol Police for Their Commitment to Security at the Capitol

H.R. 3282 - Mike Mansfield Federal Building and United States Courthouse Designation Act

H.R. 3370 - Amending the Coast Guard Authorization Act of 1996 to Modify the Reversionary Interest of the United States in a Parcel of Property Conveyance

H.R. 2595 – To Direct the Secretary of the Army to Convey a Parcel of Land to Chatham County, Georgia

H.Con.Res. 259 – Expressing the Sense of Congress Regarding the Relief Efforts Undertaken by Charitable Organizations and the People of the United States

H.Con.Res. 281 – Honoring Johnny Micheal Spann

H.R. 38 - Homestead National Monument of America Additions Act

H.R. 2440 - Renaming Wolf Trap Farm Park as "Wolf Trap National Park for the Performing Arts"

H.R. 1989 - Fisheries Conservation Act of 2001

H.R. 1576 - James Peak Wilderness, Wilderness Study, and Protection Area Act

H.R. 2742 - Authorizing the Construction of a Native American Cultural Center and Museum in Oklahoma City, Oklahoma

H.R. 1169 - Amending Title 39, United States Code, with Respect to "Cooperative Mailings"

H.Con.Res. 282 – Expressing the Sense of Congress that the Social Security Promise
Should Be Kept

H.R. 3030 - Basic Pilot Extension Act of 2001

H.R. 3209 – Anti-Hoax Terrorism Act of 2001

Corrections (1 bill):

H.R. 1022 - Community Recognition Act of 2001

WEDNESDAY, DECEMBER 12 AND THE BALANCE OF THE WEEK

On Wednesday and Thursday, the House will meet at 10:00 a.m. for legislative business. On Friday, the House will meet at 9:00 a.m. for legislative business.

Bills Subject to a Rule: (2 bills)

H.R. 3129 - Customs Border Security Act of 2001

H.R. 3295 - Help America Vote Act of 2001

The House may consider any conference reports as they become available.

H.R. 3216

Amending the Richard B. Russell National School Lunch Act

Floor Situation

The House is scheduled to consider H.R. 3216 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.R. 3216 corrects a problem created by the Department of Defense housing allowance policy by exempting military housing allowances as income for the purpose of determining a student's eligibility for the National School Lunch and Breakfast Programs. The bill will prevent the loss of free- and reduced-priced meal eligibility by school-age children of military when their family's home becomes privatized or the family moves into a new, privatized home. This measure will take effect for two years from date of enactment. A permanent fix is anticipated in the 2003 National School Lunch Act reauthorization.

Background

Under the family housing privatization program (implemented to address the poor condition of military housing), a private contractor builds or restores housing on military bases and then makes it available to military families. An unintended consequence of the program is that many children of junior enlisted personnel living in these privatized units are disqualified from receiving free or reduced price meals.

Generally this is an accounting problem: the School Lunch Program does not consider the house and utilities provided to a service member and his or her family free of charge as income for purposes of determining eligibility for the purposes of this program, but it does consider the housing allowance provided to service members and their families living in privatized housing -- which passes thru to the contractor -- as income. These families are treated differently depending on whether they live on base in privatized or traditional housing and the result is that children who have received free and reduced price meals in the past are no longer eligible, despite no real increase in family income. In addition to the added hardship to these parents, school districts will also lose money because many federal programs base funding on the number of students receiving free and reduced price meals.

H.R. 3216 fixes this unintended consequence by exempting the housing allowance for service members in privatized housing from income for the purpose of determining eligibility for the School Lunch Program.

Legislative History

H.R. 3216 was introduced by Mr. Castle on November 1, 2001. It was referred to the Education and Workforce Committee, but was not considered.

Cost Estimate

CBO estimates that the bill will have no significant associated cost (less than \$500,000 per year).

For additional information or questions, please contact Rep. Castle's office at 5-4165.

H.R. 2069

Global Access to HIV/AIDS Prevention, Awareness, Education, and Treatment Act of 2001

Floor Situation

The House is scheduled to consider H.R. 2069 under suspension of the rules on December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.R. 2069, the Global Access to HIV/AIDS Prevention, Awareness, Education and Treatment Act of 2001, authorizes substantial bilateral and multilateral assistance to combat the HIV/AIDS pandemic in countries in sub-Saharan Africa and other developing countries. Specifically, the bill amends provisions in the Foreign Assistance Act of 1961 that authorize assistance to prevent, treat, and monitor HIV/AIDS. The bill recognizes that the HIV/AIDS pandemic in sub-Saharan Africa is more than an international public health issue, but also a humanitarian, national security, and development crisis that threatens the stability and economy of affected developing countries. The threat is not confined to the region of sub-Saharan Africa, but is increasing rapidly in Southeast Asia, the Caribbean, and the Middle East.

The Secretary General of the United Nations has estimated an annual need of \$7 billion to \$10 billion to adequately respond to this global crisis. H.R. 2069 authorizes the allocation of \$485 million in bilateral assistance and \$750 million in multilateral assistance for FY 2002 to control the HIV/AIDS crisis through prevention, treatment, monitoring, and related activities, such as the care and support of children orphaned by the disease, and improving health care delivery systems and infrastructure in developing countries. The bill also authorizes \$50 million for the procurement of HIV/AIDS pharmaceuticals, anti-viral therapies, and other appropriate medicines, as well as the distribution of such medicines to national, regional, or local organizations for the treatment of individuals with HIV/AIDS.

The bill supports the development and upgrade of health care delivery systems and infrastructure that includes hospitals, clinics, laboratories, storage facilities, equipment and capital to fund appropriate program efforts, and the upgrade of related basic infrastructure (e.g., access to water, power and transportation), needed to sustain the programs that address HIV/AIDS. The measure supports the development of effective delivery systems that include public and private organizations with appropriately trained health care providers and support personnel, and management systems. In addition, effective delivery systems can assure accessibility, accountability, and the continuity of care needed to combat HIV/AIDS by coordinating education, prevention, treatment, and palliative and hospice care programs and monitoring and evaluation programs.

H.R. 2069 establishes an interagency task force to ensure the coordination of all federal programs related to the prevention, treatment, and monitoring of HIV/AIDS in foreign countries. This interagency task force is comprised of various department heads, and will be chaired by the Secretary of State. The bill also establishes a permanent Global Health Advisory Board to serve as a liaison between the United States Government and private

and voluntary organizations, other non-governmental organizations, and academic institutions active in international health and infectious disease issues.

Background

The HIV/AIDS pandemic is no longer simply a health issue, but a humanitarian, national security developmental crisis that threatens the stability, economy, and democratic institutions of many nations. Recent statistics on the devastation of the disease are staggering. Since its inception, 58 million individuals have been infected with HIV/AIDS, and 22 million have lost their lives to the disease--of whom 17 million are from sub-Saharan Africa. The United States National Intelligence Council estimates that the disease could reduce Gross Domestic Product in some sub-Saharan African countries by as much as 20 percent or more by 2010.

Sub-Saharan Africa has been the hardest hit region and has been disproportionately affected by the disease. Though the region has only 10 percent of the world's population, it accounts for 70 percent of all HIV/AIDS cases and 80 percent of all HIV/AIDS-related deaths. The infection rates in some countries are numbing. For example, Botswana has an estimated infection rate at 36 percent, the highest in the world. The infection rate is 25 percent in Zimbabwe, and 20 percent in South Africa. Yet, the threat is not confined to this region alone. HIV infection rates are rising rapidly in India, Brazil, Russia, Eastern Europe, South Asia, and the Caribbean.

Tragically, women and children in developing societies are the hardest hit by the disease. According to UNAIDS, by the end of 2000, 55 percent of the HIV-positive population in sub-Saharan Africa and 40 percent of such population in North Africa and the Middle East, were women--infected mainly through heterosexual transmission. In Africa, 6 out of 7 children who are HIV-positive are girls. Over one million children under the age of 15 are living with the disease and most of these victims are from sub-Saharan Africa. In addition, mother-to-child transmission is the largest source of infection for these children. Not only is HIV/AIDS directly devastating children, but it is doing so indirectly as well. It is estimated that over 13 million children worldwide have lost one or both of their parents to HIV/AIDS, and by 2010, it is estimated that this number will rise to a staggering 40 million children. An alarmingly high rate of orphaned children is leading to the decay of many African societies. Also, as a consequence of losing their parents to HIV/AIDS, children are drawn into prostitution, crime, substance abuse, and child soldiery.

Military and police forces in countries with high HIV/AIDS prevalence rates are among the highest risk populations in the world. There are national security implications where the increase in HIV-infected military personnel is weakening their capacity to defend their nations and deploy peacekeepers in crisis situations. High prevalence rates among police forces undermines their ability to maintain civil order. Any program of HIV/AIDS prevention treatment and care must address this population.

The Secretary General of the United Nations has called for annual expenditures of \$7 billion to \$10 billion to combat the disease. The United States has a strong national interest in making a significant contribution to this global effort to combat, and ultimately, eradicate the disease as it is destroying economies on every continent and affecting trade and productivity. The infection rate is inordinately high among many military personnel, thus also potentially affecting global security. Secretary of State Powell testified before the Committee that the United States has an obligation ". . . if we believe in democracy

and freedom, to stop this catastrophe from destroying whole economies and families and societies and cultures and nations."

The need for drug treatment is clearly necessary from a humanitarian perspective. However, the pilot program for drug therapy recognizes that prevention and treatment are inextricably intertwined. Without some expectation of hope that they will receive treatment, individuals who do not have the resources to pay for treatment have no reason to be tested for AIDS or to seek help. Simply stated, without treatment, there cannot be fully effective prevention.

H.R. 2069 will help combat the spread of HIV/AIDS by providing funds for the prevention, treatment, and education of the disease through a comprehensive bilateral and multilateral strategy. The bill authorizes funds to improve orphan care, encourage hospice and palliative care, strengthen existing health care systems, and to procure medicines and anti-viral therapies to treat the disease. This bill has received strong bipartisan support, and also promotes the active participation of private and public entities in the global war against HIV/AIDS.

Legislative History

H.R. 2069 was introduced by Mr. Hyde on June 6, 2001. It was reported from the International Relations Committee by a vote of 32-4 on June 27, 2001.

Cost Estimate

CBO estimates implementing H.R. 2069 will cost \$81 million in 2002 and \$1.2 billion over the 2002-2006 period. The bill does not affect direct spending or receipts, so pay-as-you-go procedures do not apply.

For additional information or questions, please contact the International Relations Committee at 5-5021.

S.Con.Res. 58

Expressing Support for the Tenth Annual Meeting of the Asia Pacific Parliamentary Forum

Floor Situation

The House is scheduled to consider S.Con.Res. 58 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

S.Con.Res. 58 expresses support for the tenth annual meeting of the Asia Pacific Parliamentary Forum which will be held at the East-West Center, Honolulu, Hawaii, on January 6-9, 2002, with the United States acting as the host for the first time.

Background

The Asia Pacific Parliamentary Forum, which has increased from 15 to 27 member countries, promotes regional identification and cooperation through discussion of matters of common concern to all member states and serves, to a great extent, as the legislative arm of the Asia-Pacific Economic Cooperation (APEC). It was founded by former Japanese Prime Minister Yasuhiro Nakasone in 1993.

Legislative History

S.Con.Res. 58 was introduced by Mr. Akaka on June 29, 2001. On September 6, 2001, the resolution was agreed to in the Senate by unanimous consent. It was reported from the International Relations Committee by unanimous consent on November 28, 2001.

For additional information or questions, please contact Sen. Akaka's office at 4-6361.

H.R. 2716

Homeless Veterans Assistance Act

Floor Situation

The House is scheduled to consider H.R. 2716, as amended, under suspension of the rules on Tuesday, December 11, 2001. It is debatable for forty minutes, may not be amended and requires a two-thirds majority vote for passage.

Summary

H.R. 2716, as amended by the Senate, establishes a national goal to end chronic homelessness among veterans and encourage all governmental and private agencies to work together to achieve this goal. Additionally, the measure provides a "Sense of the Congress" regarding the needs of homeless veterans and the responsibility of federal agencies in meeting those needs.

H.R. 2716 consolidates and improves laws relating to homeless veterans into a new chapter of title 38, United States Code, which includes provisions to increase per diem payments up to the rate paid to state home domiciliaries by community providers, authorize appropriations for the Homeless Veterans' Reintegration Program, coordinate outreach services among agencies dealing with homeless individuals, and undertake an outreach demonstration program within VA. Additionally, the measure authorizes establishment of a grant program for homeless veterans with special needs, limited dental care for veterans using VA homeless programs, technical assistance to nonprofit community based groups, and establishes an Advisory Committee on Homeless Veterans.

The measure also: (1) establishes evaluation centers for programs that serve homeless populations and require annual program assessments to be submitted to Congress; (2) requires a study of outcome effectiveness of grant program for homeless veterans with special needs; (3) requires VA to develop a plan to provide veterans access to mental health services, including substance abuse treatment, and expands the comprehensive homeless services program; (4) requires disabled veterans' outreach program specialists and local veterans' employment representatives to coordinate employment services with entities receiving financial assistance under homeless veterans' reintegration programs; (5) establishes priorities for homeless programs when VA considers disposing of real property or entering into enhanced-use lease arrangements; (6) requires an annual meeting of the Interagency Council on Homeless; and (7) increases set-aside rental assistance vouchers for HUD VA-Supported Housing Program.

Background

The Department of Veterans Affairs (VA) administers billions of dollars annually in federal benefits for military veterans and their dependents. VA operates hundreds of medical facilities, issues millions of checks for education, disability and pensions, and supervises 115 national cemeteries. With more than 220,000 employees, VA is second in size only to the Defense Department among federal agencies. When eligible dependents and survivors are included, about one-third of the nation is eligible for benefits and services from VA.

Legislative History

H.R. 2716 was introduced by Mr. Smith (NJ) on August 2, 2001. It was reported from the Veterans Affairs Committee by voice vote on October 10, 2001. On October 16, 2001, the bill was agreed to by voice vote. The Senate amended and passed the measure on December 6, 2001.

Cost Estimate

CBO estimates that enacting H.R. 2716, as passed by the House, will result in outlays of about \$90 million in 2002 and about \$945 million over the 2002-2006 period. Because the bill will not affect direct spending or receipts, pay-as-you-go procedures will not apply.

For additional information or questions, please contact the Veterans Affairs Committee at 5-3527.

H.R. 2540

Veterans Benefits Act of 2001

Floor Situation

The House is scheduled to consider H.R. 2540, as amended, under suspension of the rules on Tuesday, December 11, 2001. It is debatable for forty minutes, may not be amended and requires a two-thirds majority vote for passage.

Summary

H.R. 2540, as amended by the Senate, provides, effective December 1, 2001, a cost-of-living adjustment to the rates of disability compensation for veterans with service-connected disabilities and to the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans. The percentage amount is equal to the increase for benefits provided under the Social Security Act (2.6 percent).

Legislative History

H.R. 2540 was introduced by Mr. Smith (NJ) on July 18, 2001. The bill was reported from the Veterans Affairs Committee by voice vote on July 19, 2001. On July 31, 2001, the bill was agreed to in the House by a vote of 422 - 0 ([Roll No. 301](#)). The Senate amended and passed the measure on November 15, 2001.

Cost Estimate

CBO Estimates that enacting this bill will increase spending for these programs by about \$407 million in 2002. This estimate assumes that the COLA effective December 1, 2002, will be 2.6 percent. (The 2002 cost on an annualized basis will be \$543 million, which will be the approximate cost in subsequent years.) The COLA that will be authorized by this bill is assumed in the budget resolution baseline, pursuant to section 257 of the Balanced Budget and Emergency Deficit Control Act, and savings from rounding it down were achieved by the Balanced Budget and Emergency Deficit Control Act of 1997 (P.L. 105-33).

For additional information or questions, please contact the Veterans Affairs Committee at 5-3527.

H.R. 1291
21st Century Montgomery GI Bill Enhancement Act

**A description of the bill, as amended, will be provided
prior to floor consideration.**

S.J.Res. 26

Appointing Patricia Q. Stonesifer as a Citizen Regent of the Board of Regents of the Smithsonian Institution

Floor Situation

The House is scheduled to consider S.J.Res. 26 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

S.J.Res. 26 appoints Patricia Q. Stonesifer as a citizen regent of the Board of Regents of the Smithsonian Institution.

Background

The legislation that created the Smithsonian Institution (approved by Congress on August 10, 1846) called for the creation of a Board of Regents to govern and administer the organization. This 17-member board, which meets three times a year, includes the Chief Justice of the United States and the Vice President of the United States, both ex officio voting members of the Board. The Chief Justice has traditionally been elected Chancellor of the Institution by the Board.

Other members of the Board of Regents are: three members of the House of Representatives, appointed by the Speaker of the House; three members of the Senate, appointed by the President pro tempore of the Senate; and nine citizen members, nominated by the Board and approved by the Congress in a joint resolution signed by the President of the United States. Regents who are Representatives and Senators serve for the durations of their elected terms. Citizen Regents serve six-year terms.

The chief executive officer of the Smithsonian is the Secretary, who is appointed by the Board of Regents. There have been 11 Secretaries since the Smithsonian was established. The Secretary serves as secretary of the Board of Regents, but is not a voting member of that body.

Legislative History

S.J.Res. 26 was introduced by Mr. Cochran on October 17, 2001. The measure was agreed to in the Senate by unanimous consent on November 29, 2001.

For additional information or questions, please contact Sen. Cochran's office at 4-5054.

H.Res. 309

Honoring the United States Capitol Police for Their Commitment to Security at the Capitol

Floor Situation

The House is scheduled to consider H.Res. 309 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.Res. 309 expresses the sense of the House honoring and thanking the United States Capitol Police for their outstanding work and dedication, during a period of heightened security needs on the day of September 11, 2001, and thereafter. The House knows that they are protected and secure, thanks to the commitment of the United States Capitol Police.

Background

The Capitol is an important symbol of freedom and democracy across the United States and throughout the world, and those who safeguard the Capitol safeguard that freedom and democracy. Millions of people visit the Capitol each year to observe and learn the workings of the democratic process. The United States Capitol Police force was created by Congress in 1828 to provide security for the United States Capitol building. Today the United States Capitol Police provide protection and support services throughout an array of congressional buildings, parks, and thoroughfares. The United States Capitol police provide security for Members of Congress, their staffs, other government employees, and many others who live near, work on, and visit Capitol Hill. The United States Capitol Police have successfully managed and coordinated major demonstrations, joint sessions of Congress, State of the Union Addresses, State funerals, and inaugurations. The United States Capitol Police have bravely faced numerous emergencies, including three bombings and two shootings (the most recent of which in 1998 tragically took the lives of Private First Class Jacob 'J.J.' Chestnut and Detective John Michael Gibson).

The horrific events of September 11, 2001, have created a uniquely difficult environment, requiring heightened security, and prompting extra alertness and some strain among staff and visitors. The United States Capitol Police force has responded to this challenge quickly and courageously, including by facilitating the evacuation of all of the buildings under their purview, as well as the perimeter thereof.

Legislative History

H.Res. 309 is expected to be introduced by Rep. Shimkus on December 10, 2001.

For additional information or questions, please contact Rep. Shimkus's office at 5-5271.

H.R. 3282

Mike Mansfield Federal Building and United States Courthouse Designation Act

Floor Situation

The House is scheduled to consider H.R. 3282 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.R. 3282 designates the federal building and United States courthouse located at 400 North Main Street in Butte, Montana, as the "Mike Mansfield Federal Building and United States Courthouse."

Background

Mansfield moved from New York City to Great Falls, Montana to be raised by an aunt and uncle after the death of his mother when he was 3. One month shy of 15, he joined the Navy shortly before the U.S. entered World War I and served in the Atlantic. He served in the Army after the war. Finally, he enlisted in the Marine Corps for two years serving in the Philippines, Japan and China. This contributed to his lifelong interest in the Far East. He returned to Montana in 1922 at age 19 and worked as a "mucker," shoveling rocks and dirt in underground copper mines in Butte. While in Butte he met schoolteacher Maureen Hayes who later became his wife and encouraged him to complete his high school education by taking correspondence courses. Mansfield later earned a history degree from the University of Montana and became a history professor.

Mike Mansfield's public service spanned five decades beginning with his election to the U.S. House of Representatives in 1942 to his retirement as U.S. Ambassador to Japan in 1988. During his remarkable career, he worked with eight U.S. presidents - Roosevelt, Truman, Eisenhower, Kennedy, Nixon, Ford, Carter and Reagan.

Mansfield's tenure as Majority Leader of the U.S. Senate lasted from 1961 until his retirement in 1976. He then went on to serve as U.S. Ambassador to Japan from 1977 to 1988. In both cases, he held each position longer than any of his predecessors. Mansfield died on Oct. 5, 2001 at age 98.

Legislative History

H.R. 3282 was introduced by Mr. Rehberg on November 13, 2001. The measure was referred to the Transportation and Infrastructure Committee, but was not considered.

For additional information or questions, please contact Rep. Rehberg's office at 5-3211.

H.R. 3370

Amending the Coast Guard Authorization Act of 1996 to Modify the Reversionary Interest of the United States in a Parcel of Property Conveyance

Floor Situation

The House is scheduled to consider H.R. 3370 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.R. 3370 amends the Coast Guard Authorization Act of 1996 to modify the reversionary interest of the United States in a parcel of property conveyed to the Traverse City Area School District in Traverse City, Michigan.

Background

In the 1996 Coast Guard Authorization Act, surplus U.S.C.G. property was transferred to the Traverse City Area Public Schools for use as recreation fields, with a reverter clause that sent the property back to the federal government if not used by the school district. Since that time, a plan has developed that will permit development of the recreational fields and also construction of a three pool swimming facility. The school district, of course, does not have the money to build or maintain this facility. If the property can be transferred to the Y.M.C.A., the Y will build and maintain the facility, allow the school district to use not just the recreational fields, but the pool facility and Y classrooms as well. The Coast Guard, which has a local presence, will also be able to use the pool facility for winter training of rescue swimmers.

The Coast Guard is 100 percent behind the minor change, which will simply modify the reverter to permit the property to be owned and used "by a public or private nonprofit entity for an education or recreational purpose" rather than only by the Traverse City Area Public School District" and allow the Y plan to move forward.

The change is in full keeping with the original intent of the 1996 legislation, and is a win-win for the school district, the Y, the community and the Coast Guard.

Legislative History

H.R. 3370 was introduced by Mr. Stupak on November 28, 2001. It was referred to the Transportation and Infrastructure Committee, but was not considered.

Cost Estimate

At press time, a CBO cost estimate was not available.

For additional information or questions, please contact Rep. Stupak's office at 5-4735.

H.R. 2595

Directing the Secretary of the Army to Convey a Parcel of Land to Chatham County, Georgia

Floor Situation

The House is scheduled to consider H.R. 2595 under suspension of the rules on Tuesday, November 13, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.R. 2595 directs the Secretary of the Army to convey to the Commissioners of Chatham County, Georgia, a specified parcel of land located on Hutchinson Island, adjacent to the Savannah Harbor Tide Gate structure. The measure provides that such parcel, or a parcel for which it may be exchanged, shall remain in public ownership and be managed for recreational purposes.

Legislative History

H.R. 2595 was introduced by Rep. Kingston on July 23, 2001. It was referred to the Transportation and Infrastructure Committee, but was not considered.

For additional information or questions, please contact Rep. Kingston's office at 5-5831.

H.Con.Res. 259

Expressing the Sense of Congress Regarding the Relief Efforts Undertaken by Charitable Organizations and the People of the United States

Floor Situation

The House is scheduled to consider H.Con.Res. 259 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.Con.Res 259 expresses the sense of Congress regarding the generosity of the American people by: (1) praising their patriotism and generosity in donating their money, time, and blood to support the victims of the terrorist attacks against the United States that occurred on September 11, 2001, and their families; (2) commending charitable organizations for their hard work in providing needed assistance to the individuals and families who have been affected by the terrorist attacks; (3) urging charitable organizations to use the money collected from the people of the United States for the purposes for which the money was donated, and to limit the extent to which such money is used for administrative costs; and (4) condemning individuals and groups that fraudulently use contributions for objectives unrelated to the purpose for which the contributions were made.

Background

The people of the United States have a long and honorable tradition of assisting individuals, families, and communities in need, and charitable organizations play a vital role in delivering this assistance to those individuals and families that are in need of relief. These organizations are providing relief to the victims of the terrorist attacks against the United States that occurred on September 11, 2001, and their families. More than \$1 billion has been collected for charitable work related to the terrorist attacks.

Legislative History

H.Res. 239 was introduced by Rep. Bilirakis on November 1, 2001. It was referred to the Committee on Transportation and Infrastructure, but was not considered.

For additional information or questions, please contact Rep. Bilirakis' office at 5-5755.

H.Con.Res. 259

Expressing the Sense of Congress Regarding the Relief Efforts Undertaken by Charitable Organizations and the People of the United States

Floor Situation

The House is scheduled to consider H.Con.Res. 259 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.Con.Res. 259 expresses the sense of Congress regarding the generosity of the American people by: (1) praising their patriotism and generosity in donating their money, time, and blood to support the victims of the terrorist attacks against the United States that occurred on September 11, 2001, and their families; (2) commending charitable organizations for their hard work in providing needed assistance to the individuals and families who have been affected by the terrorist attacks; (3) urging charitable organizations to use the money collected from the people of the United States for the purposes for which the money was donated, and to limit the extent to which such money is used for administrative costs; and (4) condemning individuals and groups that fraudulently use contributions for objectives unrelated to the purpose for which the contributions were made.

Background

The people of the United States have a long and honorable tradition of assisting individuals, families, and communities in need, and charitable organizations play a vital role in delivering this assistance to those individuals and families that are in need of relief. These organizations are providing relief to the victims of the terrorist attacks against the United States that occurred on September 11, 2001, and their families. More than \$1 billion has been collected for charitable work related to the terrorist attacks.

Legislative History

H.Con.Res. 259 was introduced by Mr. Bilirakis on November 1, 2001. It was referred to the Committee on Transportation and Infrastructure, but was not considered.

For additional information or questions, please contact Rep. Bilirakis' office at 5-5755.

H.Con.Res. 281

Honoring Johnny Micheal Spann

Floor Situation

The House is scheduled to consider H.Con.Res. 281 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.Con.Res. 281 honors Johnny Micheal Spann, a paramilitary officer in the Central Intelligence Agency, who was the first American killed in combat during the war against terrorism in Afghanistan, and recognizes him for his bravery and sacrifice. The measure also extends its deepest sympathies to the family of this brave hero and pledges its continued support for the men and women who risk their lives every day to ensure the safety of all United States citizens.

Background

As part of the war against terrorism, United States military personnel and agents from the Central Intelligence Agency were involved in combat with Taliban forces during a prison uprising in Mazar-e Sharif, Afghanistan, on Sunday, November 25, 2001. Johnny Micheal Spann, age 32, an officer in the Central Intelligence Agency, was inside the prison fortress interviewing Taliban prisoners when the uprising began. Spann was killed in this rebellion and is the first American known to be killed in combat in Afghanistan during this war. Spann is the 79th employee of the Central Intelligence Agency killed in the line of duty. The Director of the Central Intelligence Agency, George J. Tenet, hailed Spann as an American hero and will soon memorialize him on a wall of honor. Spann, a former Captain in the Marine Corps, is survived by his wife, Shannon, and 3 young children. The thoughts and prayers of the Congress and the Nation remain with the families of Spann and all the soldiers fighting to ensure the Nation's freedom and safety.

Legislative History

H.Con.Res. 281 was introduced by Mr. Aderholt on December 4, 2001. It was referred to the House Permanent Select Committee on Intelligence, but was not considered.

For additional information or questions, please contact Rep. Aderholt's office at 5-4876.

H.R. 38

Homestead National Monument of America Additions Act

Floor Situation

The House is scheduled to consider H.R. 38 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.R. 38 authorizes the Secretary of the Interior to acquire four parcels of land, totaling less than 30 acres, from willing sellers by either donation or appropriated funds in order to be included in the boundaries of the Homestead National Monument of America in the State of Nebraska.

Background

The Homestead National Monument of America commemorates one of the first homesteads claimed following the passage of the 1862 Homestead Act. The site includes a pioneer cabin, an old school house, and 100 acres of restored tall grass prairie.

The purchase of the additional land will provide for a new Homestead Heritage Center, outside of the 100 year flood plain, that will improve educational value through interpretive exhibits, public research facilities and administrative offices. This new center offers protection to the 14,000 artifacts currently in storage due to lack of available space in current facilities.

Funds to build this new Homestead Heritage Center were appropriated in FY 2001; however, the Park Service has been waiting to build the new center above the flood plain.

Legislative History

H.R. 38 was introduced by Mr. Bereuter on January 3, 2001. The bill was reported from the Resources Committee by voice vote on November 28, 2001.

Cost Estimate

CBO estimates that implementing H.R. 38 will have no significant impact on the federal budget. The \$400,000 needed to purchase the two parcels of privately owned land for the monument was already appropriated for FY 2001, and CBO estimates that annual costs to manage these parcels (and any property donated by the state) will not be significant. The bill will not affect direct spending, so pay-as-you-go procedures do not apply.

For additional information or questions, please contact the Resources Committee at 5-2761.

H.R. 2440

Renaming Wolf Trap Farm Park as "Wolf Trap National Park for the Performing Arts"

Floor Situation

The House is scheduled to consider H.R. 2440 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.R. 2440 renames Wolf Trap Farm Park as "Wolf Trap National Park for the Performing Arts." The name change will alleviate confusion and assist the non-profit Wolf Trap Foundation in private fund raising efforts.

Background

The Wolf Trap Farm Park for the Performing Arts began as a gift to the American people from Catherine Filene Shouse. Today, Wolf Trap is one of the premier venues for the performing arts anywhere. The Park plays host to every conceivable type of performing arts, from Native American folk festivals to interpretive dance, rock concerts, and classical symphonies.

The Wolf Trap Farm Park is run by the Wolf Trap Foundation, a 501 (c)(3) not-for-profit organization, that creates and selects programming, develops all education programs, handles ticket sales, marketing, publicity and public relations; and raises funds to support these programs. The National Park Service maintains responsibility for the grounds and buildings, while providing technical assistance for one of the performing arts centers.

The name change will not alter the Park's legal status or federal funding levels.

Legislative History

H.R. 2440 was introduced by Mr. Davis (VA) on July 10, 2001. The bill was reported from the Resources Committee by voice vote on November 28, 2001.

Cost Estimate

At press time, a CBO cost estimate was not available.

For additional information or questions, please contact the Resources Committee at 5-2761.

H.R. 1989

Fisheries Conservation Act of 2001

Floor Situation

The House is scheduled to consider H.R. 1989 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.R. 1989 extends authority or authorization of appropriations for the following Acts: (1) Interjurisdictional Fisheries Act of 1986; (2) Anadromous Fish Conservation Act; (3) Atlantic Striped Bass Conservation Act; (4) Atlantic Coastal Fisheries Cooperative Management Act; (5) Atlantic Tunas Convention Act of 1975; and (6) Northwest Atlantic Fisheries Convention Act of 1995.

The measure authorizes appropriations for National Oceanic and Atmospheric Administration programs of: (1) fisheries conservation and management; (2) information collection and analysis; and (3) state and industry cooperation.

Background

The Interjurisdictional Fisheries Act and the Anadromous Fisheries Conservation Act provide grants to states to allow them to conduct research to help improve the way fisheries are managed, fund enforcement activities, rebuild habitat, and take other measures to improve the survival of fish species that travel across State boundaries or over great distances.

The Atlantic Striped Bass Conservation Act and the Atlantic Coastal Fisheries Cooperative Management Act provide directives to the states and the Atlantic States Marine Fish Commission to develop fishery management plans for the species of fish under their jurisdiction along the East coast.

The National Oceanic and Atmospheric Administration (NOAA) Marine Fisheries Program Authorization Act consolidates and authorizes certain general marine fishery programs and functions of NOAA under the U.S. Department of Commerce. Programs conducted under these authorities include fisheries information collection and analysis, fisheries conservation and management operations, and fisheries state and industry assistance.

The Atlantic Tunas Convention Act and the Northwest Atlantic Fisheries Convention Act implement international treaties to which the U.S. is a party. The Atlantic Tunas Convention Act allows the U.S. to implement conservation recommendations by the International Commission for the Conservation of Atlantic Tunas, while the Northwest Atlantic Fisheries Convention Act allows the U.S. to implement conservation recommendations by the Northwest Atlantic Fisheries Organization.

Legislative History

H.R. 1989 was introduced by Mr. Gilchrest on May 24, 2001. It was reported from the Resources Committee by unanimous consent on September 12, 2001.

Cost Estimate

CBO estimates that implementing the bill will cost \$166 million in 2002 and nearly \$1.2 billion over the 2002-2006 period. The bill will not affect direct spending or receipts, so pay-as-you-go procedures do not apply.

For additional information or questions, please contact the Resources Committee at 5-2761.

H.R. 1576

James Peak Wilderness, Wilderness Study, and Protection Area Act

Floor Situation

The House is scheduled to consider H.R. 1576 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.R. 1576 amends the Colorado Wilderness Act of 1993 by designating a James Peak Wilderness Area, James Peak Protection Area, and adds to the existing Indian Peaks Wilderness Area, all within the Arapaho-Roosevelt National Forest in Colorado.

The bill designates 14,000 acres as wilderness area, 16,000 acres in Grand County as protection area, and adds 2,000 acres to the existing Indian Peaks Wilderness Area. The bill directs the Forest Service to reevaluate the wilderness suitability of certain lands within the protection area. In addition, the bill withdraws the Protection Area from mineral and mining entry, while protecting access rights to water and creating safeguards for implicated water rights.

Background

The James Peak area straddles the Continental Divide in four counties and provides outstanding recreational opportunities. The 105th and 106th Congress had repeated discussion and disagreements to the bill that would designate 22,000 acres as wilderness. After further discussions with county governments, the Forest Service, and the public concerning the language of the bill, a proposal was endorsed by Grand County on July 20, 2001.

Legislative History

H.R. 1576 was introduced by Mr. Mark Udall on April 24, 2001. It was reported from the Resources Committee by voice vote on October 3, 2001.

Cost Estimates

CBO estimates that implementing H.R. 1576 will cost about \$600,000 over the next two years. The bill may affect direct spending (including offsetting receipts), so pay-as-you-go procedures do apply, but CBO estimates that any such effects will not exceed \$15,000 in any year.

For additional information or questions, please contact the Resources Committee at 5-2761.

H.R. 2742

Authorizing the Construction of a Native American Cultural Center and Museum in Oklahoma City, Oklahoma

Floor Situation

The House is scheduled to consider H.R. 2742 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.R. 2742 directs the Secretary of the Interior to offer to award financial assistance grants and technical assistance to the Native American Cultural and Educational Authority of Oklahoma (NACEA) for the development of the Native American Cultural Center and Museum in Oklahoma City, Oklahoma.

This bill authorizes the Secretary of the Interior to grant \$33 million for the development and construction of the Center and Museum under the conditions that the NACEA provide for maintenance and demonstrate the commitments of private funds totaling 66 percent of the total cost of the project.

Background

Oklahoma has one of the largest American Indian populations of any state. Many of the American Indians living in Oklahoma today are descendants from the original 67 tribes that inhabited the area which now comprises Oklahoma. In 1994, the Oklahoma Legislature created the NACEA to promote the history and culture of Native Americans and authorized the NACEA to construct and operate a cultural center and museum on a chosen site in Oklahoma City.

Legislative History

H.R. 2742 was introduced by Mr. Carson on August 2, 2001. It was reported from the Resources Committee by voice vote on November 28, 2001.

Cost Estimate

CBO estimates that implementing H.R. 2742 will cost the federal government \$31 million over the 2003-2006 period. The costs of this legislation fall within budget function 450 (community and regional development). The bill will not affect direct spending or receipts, so pay-as-you-go procedures do not apply.

For additional information or questions, please contact the Resources Committee at 5-2761.

H.R. 1169

Amending Title 39, United States Code, with Respect to "Cooperative Mailings"

Floor Situation

The House is scheduled to consider H.R. 1169 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.R. 1169 amends federal law to declare that, in the case of mail matter (cooperative mailings) sent (or proposed to be sent) by or on behalf of an organization allowed to mail at non-profit postage rates, which also has a contractual or any other business relationship with an entity not so authorized, non-profit postage rates shall apply if those rates will apply in the case of identical mail matter sent by an authorized organization without such a relationship with an unauthorized organization. Additionally, the measure declares that an unauthorized organization is not authorized by this measure to advertise, promote, offer, or, for a fee or consideration, recommend, describe, or announce the availability of any of its products or services at such non-profit postage rates. Finally, the measure declares that it is the sense of the Congress that nothing in this measure shall be considered to alter the authority of the U.S. Postal Service to: (1) to apply regular postage rates, rather than non-profit rates, to specified other mail matter; or (2) enforce any criminal law within its jurisdiction.

Legislative History

H.R. 1169 was introduced by Mr. Burton on March 22, 2001. It was referred to the Government Reform Committee, but was not considered.

Cost Estimate

At press time, a CBO cost estimate was unavailable.

For additional information or questions, please contact Chairman Burton's office at 5-2276.

H.Con.Res. 282

Expressing the Sense of Congress that the Social Security Promise Should Be Kept

Floor Situation

The House is scheduled to consider H.Con.Res. 282 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.Con.Res. 282 expresses the sense of the Congress that the President's Commission to Strengthen Social Security, recognizing the immense financial commitment of every American worker into the Social Security system, should present in its recommendations innovative ways to protect that commitment without lowering benefits or increasing taxes. The resolution also states that the President and the Congress should join to develop legislation to strengthen Social Security as soon as possible, and such legislation should: (1) recognize the obstacles women face in securing financial stability at retirement or in cases of disability or death and the essential role that the Social Security program plays in providing income security for women; (2) recognize the unique needs of minorities and the critical role the Social Security program plays in preventing poverty and providing financial security for them and their families when income is reduced or lost due to retirement, disability, or death; and (3) guarantee current law promised benefits, including cost-of-living adjustments that fully index for inflation, for current and future retirees, without increasing taxes.

Background

Social Security provides essential income security through retirement, disability, and survivor benefits for over 45 million Americans of all ages, without which nearly 50 percent of seniors would live in poverty. It is of particular importance for low earners, especially widows and women caring for children, without which nearly 53 percent of elderly women would live in poverty. Each payday, American workers send their hard-earned payroll taxes to Social Security and in return are promised income protections for themselves and their families upon retirement, disability, or death, and that commitment must be kept.

Social Security payments to beneficiaries will exceed worker contributions to the Social Security trust funds beginning in 2016, as demographics, including the aging baby boom generation and increasing life expectancies, will result in fewer workers per beneficiary and threaten Social Security's essential income safety net with financial instability and insolvency. Deferring action to save Social Security will result in loss of public confidence in the program, will increase the likelihood of spending cuts to other essential programs, and will expose beneficiaries, particularly those with low earnings, to poverty-threatening benefit cuts or reduce workers' take-home pay through burdensome payroll tax increases. Workers' ability to save and invest for their own retirement will continue to be particularly important, especially for younger workers, to enhance their own retirement security. The President should be commended for recognizing that Social Security is not prepared to fully fund the retirement of the baby boom and future generations and for

establishing the bipartisan President's Commission to Strengthen Social Security, which will report its recommendations this fall.

Legislative History

H.Con.Res. 282 was introduced by Mr. Shaw on December 6, 2001. It was referred to the Ways and Means Committee, but was not considered.

For additional information or questions, please contact Rep. Shaw's office at 5-3026.

H.R. 3030

Basic Pilot Extension Act of 2001

Floor Situation

The House is scheduled to consider H.R. 3030 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.R. 3030 extends the Illegal Immigration Reform and Immigrant Responsibility Act of 1986 for two years. This measure provides for: (1) the "basic" employment verification system pilot program; (2) the citizen attestation pilot program; and (3) the employment eligibility confirmation pilot program.

Background

The Immigration Reform and Control Act of 1986 ("IRCA") made it unlawful for employers to knowingly hire or employ aliens not eligible to work and required employers to check the identity and work eligibility documents of all new employees. If the documents provided by an employee reasonably appear on their face to be genuine, the employer has met its document review obligation. Certain documents, such as passports and resident alien cards, establish both identity and work eligibility. Others, such as most Social Security cards, establish work eligibility. And, such as drivers' licenses, establish identity.

If a new hire produces the required documents, the employer is not required to solicit the production of additional documents and the employee is not required to produce additional documents. In fact, an employer's request for more or different documents than are required, or refusal to honor documents that reasonably appear to be genuine, is treated as unfair immigration-related employment practice if made for the purpose or with the intent of discriminating against an individual because of such individual's national origin or citizenship status.

The easy availability of counterfeit documents has made a mockery of IRCA. Fake documents are produced by the millions and can be obtained cheaply. Thus, the IRCA system both benefits unscrupulous employers who do not mind hiring illegal aliens but want to show that they have met legal requirements and harms employers who don't want to hire illegal aliens but have no choice but to accept documents they know have a good likelihood of being counterfeit.

Legislative History

H.R. 3030 was introduced by Mr. Latham on October 4, 2001. It was reported from the Judiciary Committee by voice vote on November 15, 2001.

Cost Estimate

CBO estimates that implementing H.R. 3030 will cost about \$1 million in each of FYs 2002 and 2003 and less than \$500,000 over the 2004-2005 period. The measure will not affect direct spending or receipts, so pay as you go procedures do not apply.

For additional information or questions, please contact the Judiciary Committee at 5-3951.

H.R. 3209

Anti-Hoax Terrorism Act of 2001

Floor Situation

The House is scheduled to consider H.R. 3209 under suspension of the rules on Tuesday, December 11, 2001. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary

H.R. 3209 makes it a felony to perpetrate a hoax related to biological, chemical, and nuclear, attacks. Specifically, it amends the federal criminal code to set penalties for engaging in conduct, with intent to convey false or misleading information, under circumstances where such information may reasonably be believed and where such information concerns an activity which would constitute a violation of section 175 (biological attack), 229 (chemical attack), 831 (nuclear attack), or 2332a (weapons of mass destruction attack).

It provides that any people who engage in such conduct jointly and severally liable to any party incurring expenses incident to the investigation of such conduct. In addition, it directs the court to order a defendant who has been convicted of such an offense to reimburse any party incurring such expenses.

Background

Since the September 11, 2001, attacks and the ongoing anthrax attacks against United States citizens on United States soil, the nation has been engaged in a war at home and abroad. At home, emergency responders, law enforcement and investigation officials have been working overtime to prevent terrorist acts and investigate suspicious events and actual terrorist acts. The efforts on the home front have understandably drained Federal, state and local resources.

Because of these tragic attacks, the public is alarmed and appropriately reporting suspicious activity. Our nation is on high alert and our law enforcement cannot afford to be distracted. Sadly, while law enforcement and emergency responders work tirelessly to prevent, respond, and investigate real cases of terrorism, some have played upon the public's apprehension with hoaxes.

A hoax of terrorism is terrorism. Such a hoax is designed to instill fear into the public or its target. While such hoaxes may not be designed to influence public policy or governments, they are a serious threat to the public's safety on many levels. First, such a hoax distracts law enforcement from the actual threats or actual emergencies and, in effect, assists terrorists. Second, these hoaxes often cause buildings and businesses to be evacuated and closed. If a hoax causes a hospital to be evacuated, for instance, people could die.

The Department of Justice and the Federal Bureau of Investigation testified on November 7th, before the Judiciary's Subcommittee on Crime, and made it clear that these types of hoaxes threaten the health and safety of the American public and the national security of the nation.

Under current law, it is a felony to perpetrate a hoax such as falsely claiming there is a bomb on an airplane. It is also a felony to communicate in interstate commerce threatening personal injury to another. A gap exist, however, in the current law as it does not address a hoax related to biological, chemical, or nuclear dangers where there is no specific threat.

Legislative History

H.R. 3209 was introduced by Mr. Smith (TX) on November 1, 2001. It was reported from the Judiciary Committee by voice vote on November 15, 2001.

Cost Estimate

CBO estimates that implementing H.R. 3209 will not result in any significant cost to the federal government. Because enactment of H.R. 3209 can affect direct spending and receipts, pay-as-you-go procedures apply to the bill. However, CBO estimates that any impact on direct spending and receipts will not be significant.

For additional information or questions, please contact the Judiciary Committee at 5-3951.

H.R. 1022

Community Recognition Act of 2001

Floor Situation

The House is scheduled to consider H.R. 1022 under the corrections calendar on Tuesday, December 11, 2001. It is debatable for one hour, may not be amended, and requires a three-fifths majority vote for passage.

Summary

H.R. 1022 makes sure the rules of etiquette for flying the flag of the United States do not preclude the flying of flags at half mast when ordered by city and local officials. The legislation authorizes the chief elected leader of a city or other locality, in the event of the death of a present or former official of that particular locality, to proclaim that the national flag be flown at half staff.

Background

Currently, 4 U.S.C. Sec. 7(m) grants authority to the President of the United States or the Governor of any state, territory, or possession to order that the national flag be flown at half staff in recognition of the death of a current or former official of the government under which they preside. Local officials may order the national flag flown at half mast only with the direct permission of the President or their Governor. Such permission is not always timely, which results in the missed opportunity to properly honor the descended. H.R. 1022 would permit the chief elected official of local government entities, such as cities, towns, counties, or other similar and like traditional political subdivisions, to honor those leaders or public servants who either died in the line of duty or passed away following a distinguished career in public service by ordering the national flag flown at half staff.

While the code does not expressly outlaw the common practice of lowering the flag in honor of local heroes it does not expressly permit such activity. This obscure wording has upset local officials across the country who believe that communities should have the right to honor their fellow citizens without having to receive the express and time consuming permission of either the President or their Governor.

Legislative History

H.R. 1022 was introduced by Mr. Doolittle on March 14, 2001. It was reported from the Judiciary Committee by voice vote on November 15, 2001.

Cost Estimate

CBO estimates that implementing H.R. 1022 will not result in any significant cost to the federal government.

For additional information or questions, please contact the Judiciary Committee at 5-3951.

H.R. 3129

Customs Border Security Act of 2001

Floor Situation

The House is scheduled to consider H.R. 3129 during the week of December 10, 2001. The Rules Committee is scheduled to meet on Tuesday, December 11th at 5:00 p.m. to consider a rule for the measure. A description of the rule and any possible amendments will be provided in a *Daily Floor Briefing* prior to consideration.

Summary

H.R. 3129 authorizes appropriations for FYs 2002 and 2003 for the U.S. Customs Service, the Office of the U.S. Trade Representative, and the International Trade Commission. The authorization for the Customs Service includes funds for salaries and expenses, its Automated Commercial Environment (ACE) computer system, air and marine interdiction, and a program to prevent child pornography. This bill also increases the personal duty exemption for travelers entering the United States.

Of note, the bill provides for: (1) authorizing customs funding at \$5 billion over two years, and Customs' FY 2002 funding level is \$400 million over FY 2001; (2) fully funding Customs automation computer system at \$308 million; (3) an additional \$90 million for extensive border protection equipment to fight terrorism and illegal drugs; and (4) an additional \$10 million of cybersmuggling funding to stop smuggling, especially in the child pornography area.

Also, the bill reestablishes New York City Customs offices including the textile clearinghouse, which was destroyed in the September 11th attack on the World Trade Center. It adds \$9.5 million to fight textile transshipment through added staff dedicated to specific geographic areas such as Hong Kong, India, Korea, Mexico, and the Middle East. This includes 21 new import specialists, 10 inspectors, 2 attorneys, 6 auditors, and 11 new investigators.

H.R. 3129 authorizes a General Accounting Office audit and report on the effectiveness of transshipment monitoring and enforcement. The measure provides full funding to the International Trade Commission that has a role in analyzing trade flows, new trade agreements, and deciding trade remedy cases. It also adds extra staff for the Office of the U.S. Trade Representative so that office can provide Congress with the added consulting for trade negotiations. The bill also removes provisions reforming premium pay for Customs inspectors.

The measure provides the Customs Service with authority to obtain advanced electronic information on passengers and cargo in order to identify high risk situations. Finally, H.R. 3129 gives Customs authority to search mail leaving the United States for terrorist and illegal drug money (Customs currently only has authority to search inbound mail).

Background

The United States Customs Service ensures that all imports and exports comply with U.S. laws and regulations. The Service collects and protects the revenue, guards against smuggling, and is responsible for the following:

- * Assessing and collecting Customs duties, excise taxes, fees and penalties due on imported merchandise.
- * Interdicting and seizing contraband, including narcotics and illegal drugs.
- * Processing persons, baggage, cargo and mail, and administering certain navigation laws.
- * Detecting and apprehending persons engaged in fraudulent practices designed to circumvent Customs and related laws.
- * Protecting American business and labor and intellectual property rights by enforcing U.S. laws intended to prevent illegal trade practices, including provisions related to quotas and the marking of imported merchandise; the Anti-Dumping Act; and, by providing Customs Recordations for copyrights, patents and trademarks.
- * Protecting the general welfare and security of the United States by enforcing import and export restrictions and prohibitions, including the export of critical technology used to develop weapons of mass destruction, and money laundering.
- * Collecting accurate import and export data for compilation of international trade statistics.

Today, in addition to its own laws, Customs enforces well over 400 other provisions of law for at least 40 agencies. A number of these statutes are quality of life issues that relate to the environment, such as motor vehicle safety and emission controls, water pollution standards, pesticide controls, freon smuggling and the protection of endangered wildlife. Other laws safeguard American agriculture, business and public health, and consumer safety.

Legislative History

H.R. 3129 was introduced by Mr. Crane on October 16, 2001. It was reported from the Ways and Means Committee by voice vote on October 31, 2001. The House considered H.R. 3129 under suspension of the rules on December 6, 2001; it failed by a vote of 256 - 168 ([Roll No. 478](#)).

Cost Estimate

CBO estimates that implementing H.R. 3129 will cost about \$2.9 billion over the 2002-2006 period (about \$2.8 billion of this total will be spending for the Customs Service). CBO also estimates that enacting H.R. 3129 also will decrease revenues by about \$4 million annually because of the increased personal duty exemption. The \$2.9 billion is in the baseline because it matches the amount enacted in this year's appropriation. Finally, the bill may have a negligible net impact on direct spending for overtime and premium pay for Customs officers. Because the bill will affect revenues and direct spending, pay-as-you-go procedures do apply.

For additional information or questions, please contact the Ways and Means Committee at 5-3625.

H.R. 3295

Help America Vote Act of 2001

Floor Situation

The House is scheduled to consider H.R. 3295 the week of December 10, 2001. The Rules Committee is scheduled to meet at 5:00 p.m. on Tuesday, December 11, 2001, to consider a rule for this measure. A description of the Rule and any possible amendments will be provided in a *Daily Floor Briefing* prior to floor consideration.

Summary

H.R. 3295 establishes a program to provide funds to States to replace punch card voting systems, establishes the Election Assistance Commission to assist in the administration of Federal elections and to otherwise provide assistance with the administration of certain Federal election laws and programs, and establishes minimum election administration standards for States and units of local government with responsibility for the administration of Federal elections.

Specifically, the measure:

Authorizes \$400 Million to Buyout Punch Card Voting Machines

The measure authorizes one-time payments to states or counties to replace punch card voting systems in time for the November 2002 general election. Funding of \$6,000 per precinct will be made available to states for buy out purposes. The measure also authorizes one-time payments to states or counties that enhance the performance of existing voting equipment.

Creates an Election Assistance Commission

This bipartisan Commission will serve as a national clearinghouse for information and review of procedures for Federal elections. The Commission also consists of a Standards Board of state and local election officials and a Board of Advisors of election experts and interested parties. Among other duties, the Standards Board and Board of Advisors shall develop voluntary engineering and performance standards for voting systems and voluntary election management practices.

Allocates \$2.25 Billion in Election Fund Payments to States

This legislation authorizes \$2.25 billion in Election Fund Payments to the states over three years to help states establish and maintain accurate lists of eligible voters; encourage voters to vote; improve equipment; improve verification and identification of voters; recruit and train poll workers; improve access for voters with disabilities; and educate voters about their rights and responsibilities. All States would be eligible for Election Fund Payments, and would be required to provide a 25 percent match. States must certify that they are in compliance with voluntary voting system standards (either their own or those adopted by the Commission). This bill also authorizes \$20 million in grants by the Commission for research and development efforts to improve voting systems. The bill also authorizes \$10 million for a pilot program for testing of equipment and technology.

Establishes Minimum Standards for State Election Systems

This legislation prescribes that states adopt "Minimum Standards" for state election systems, including that states: 1) have a voter registration system linked to local jurisdictions in the state; 2) permit in-precinct provisional voting; 3) have a system for maintaining the accuracy of voter registration records; 4) adopt uniform standards defining what constitutes a vote on the different types of voting equipment; 5) ensure that absent uniformed and overseas voters have their votes counted; 6) require new voting systems to provide a practical and effective means for voters with disabilities to cast a secret ballot; and 7) gives voters the opportunity to correct errors. The Commission and Department of Justice will monitor compliance and enforce these "Minimum Standards."

Creates the Help America Vote Foundation and College Program

This legislation creates the Help America Vote College Program, which will encourage college students to assist state and local governments in the administration of elections by serving as nonpartisan poll workers. The bill also will establish the Help America Vote Foundation, which will mobilize secondary school students to assist and participate in election processes as nonpartisan poll workers.

Legislative History

H.R. 3295 was introduced by Chairman Ney and Ranking Member Hoyer on November 14, 2001. It was reported from the House Administration Committee by a vote of 8 - 0 on November 15, 2001.

Cost Estimate

CBO estimates that implementing H.R. 3295 will cost about \$2.8 billion over the 2002-2006 period. The bill will not otherwise affect direct spending or receipts so pay-as-you-go procedures do not apply.

For additional information or questions, please contact the House Administration Committee at 5-8281.

TO SUBSCRIBE OR UNSUBSCRIBE TO THIS E-MAIL PUBLICATION, PLEASE SEND AN E-MAIL TO CommitteeRelations@mail.house.gov AND TYPE "SUBSCRIBE" OR "UNSUBSCRIBE" IN THE SUBJECT LINE.

Office of Committee Relations

Director of Coalitions, Committees and Appropriations: Leigh LaMora

Director of Committee Relations: Brendan Shields

Deputy Director of Committee Relations: Courtney Haller

Committee Liaisons: Kelly Bulliner, John DeStefano and Mike Tomberlin